



State of Wisconsin  
**Department of Health and Family Services**

---

Jim Doyle, Governor  
Helene Nelson, Secretary

**EMERGENCY ORDER**

WHEREAS, problems encountered in manufacturing the influenza vaccine have resulted in a severe shortage, and the available vaccine must be administered to those persons most at risk of serious illness or death due to influenza, and

WHEREAS, section 250.03(1)(g) of the Wisconsin Statutes directs the Department to provide leadership in public health throughout the state that emphasizes public health needs and that advocates for equitable distribution of public health resources, and

WHEREAS, section 250.04(1) of the Statutes grants the Department general supervision throughout the state of the health of citizens and the power to take all reasonable and necessary action to prevent and suppress disease, and

WHEREAS, section 250.04(2) of the Statutes bestows upon the Department all powers necessary to fulfill the duties prescribed in the statutes and to bring action in the courts for the enforcement of public health statutes, and

WHEREAS, section 252.02(4) of the Statutes authorizes the Department to issue orders for the control and suppression of communicable diseases, and further authorizes those orders to apply to the whole or any specified part of the state, and

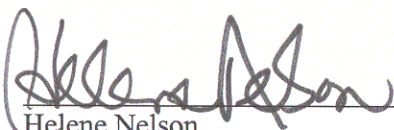
WHEREAS, section 252.02(6) of the Statutes authorizes the Department to implement all emergency measures necessary to control communicable diseases,

IT IS HEREBY ORDERED that administration of influenza vaccine is limited to persons who meet at least one of the following criteria:

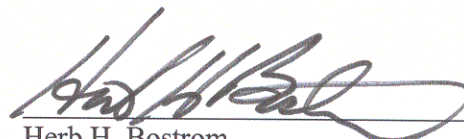
- All children aged 6 through 23 months;
- Adults aged 65 years or over;
- Persons aged 2 through 64 years with underlying chronic medical conditions;
- All women who will be pregnant during the influenza season;
- Residents of nursing homes and long-term care facilities;
- Children aged 6 months through 18 years on chronic aspirin therapy;
- Health-care workers involved in direct patient care; and
- Out-of-home caregivers and household contacts of children aged under 6 months.

IT IS FURTHER ORDERED that this Emergency Order be prominently posted at all locations where influenza vaccine is administered and that this Emergency Order shall take effect immediately.

Failure to comply with this emergency order will result in additional enforcement including immediate court proceedings.

  
Helene Nelson  
Secretary

10-15-04  
Date

  
Herb H. Bostrom  
State Health Officer

10/15/04  
Date

**Wisconsin.gov**

1 West Wilson Street • Post Office Box 7850 • Madison, WI 53707-7850 • Telephone (608) 266-9622 • [www.dhfs.state.wi.us](http://www.dhfs.state.wi.us)